

### Remarks

Applicants submit this paper in response to the final office action dated April 23, 2009. This paper is a revised version of the Amendment in Response to Final Office Action filed July 23, 2009.

By way of this paper, claims 1-2, 4, 6, 13-17 reside in the application, namely, amended claim 1, previously submitted claims 2, 4, 6, and 13-15 and new claims 16-17. Support for amended claim 1 is respectively found in prior claims 3 and 5 and withdrawn claim 8, and in specification paragraph [0019] (coating is performed while hollow body is still warm from the flaming). Support for new claims 16 and 17 are respectively found in a combination of prior claims 1 and 4, and in claim 14. Claims 3 and 5 are hereby canceled, and claims 7-12 remain withdrawn. Therefore, no new matter has been added.

In light of the present claims and the following remarks, Applicants believe that the present application is in addition for allowance and respectfully request the Office to acknowledge the same.

### Request For Continued Examination

Applicants have herewith filed a Request for Continued Examination, and paid the fee therefore.

### Rejection Under 35 U.S.C. § 103

Claims 1, 5, 6 and 15 stand rejected under 35 U.S.C. § 103 as assertedly obvious over Maruhashi, *et al.* (4,393,106) in view of Heiremans, *et al.* (4,181,239), in view of Pocock, *et al.* (4,534,995). Claims 2 and 3 stand rejected under 35 U.S.C. § 103 as assertedly obvious over Maruhashi, *et al.* in view of Heiremans, *et al.* in view of Pocock, *et al.*, and further in view of Kuckertz, *et al.* (6,613,394). Claims 4 and 14 stand rejected under 35 U.S.C. § 103 as assertedly obvious over Maruhashi, *et al.* in view of Heiremans, *et al.* in view of Pocock, *et al.*, and further in view of Hostettler, *et al.* (6,017,577). Claims 2 and 13 stand rejected under 35 U.S.C. § 103 as assertedly obvious over Maruhashi, *et al.* in view of Heiremans, *et al.* in view of Pocock, *et al.*, and further in view of Vitos, *et al.* Surf Sci. 411 (1998), p. 186.

Independent claim 1 as now amended recites a method for manufacturing hollow bodies made of PET with a gas barrier coating with a coating agent including a polyvinyl

alcohol base, including subjecting the surface of the hollowed body to a first preliminary treatment by flaming to increase surface energy, electrostatically discharging the hollow body by ionized air during a second treatment step, maintaining the warming of the hollow body resulting from the first treatment step, coating the hollow body by swelling it with a coating agent, allowing the coating agent to drip off, and drying of the coating. New independent claim 16 (a combination of claim 1 and claim 4) also includes additional preliminary treatment with a fat-dissolving agent, as carried out before the treatment to increase surface energy. Thus, independent claim 1 as amended now includes a series of steps, including a flaming to increase surface energy, electrostatically discharging by ionized air, maintaining the hollow body's warming, coating by swelling with a coating agent, allowing the coating to drip off, and drying the coating. Also, amended claim 16 provides for an additional preliminary treatment using a fat dissolving agent. As claimed, then, the method (amended independent claim 1 and new claim 16) of the present application facilitates a gas barrier coating of a manufactured hollowed body that results in a body that is substantially free of unwanted particles during the coating process.

Neither Maruhashi, *et al.*, Heiremans, *et al.* or Pocock, *et al.*, nor any other reference of record, discloses or suggests each and every limitation as recited in independent claims 1 and 16. For example, Maruhashi discloses a corona discharge treatment to improve wetting properties. In order to impart conductivity, the plastic bottle substrate may be subjected to a conducting treatment. Thus, Maruhashi does not disclose the step of electrostatically discharging after the surface energy has been increased, as recited in claims 1 and 16.

To the contrary, Maruhashi discloses the step of a conducting treatment, which is contrary to the step of electrostatically discharging. That is, a conducting treatment is a usual step found in most printing procedures and is done to prepare the surface to be coated or printed with electrostatic attraction properties for catching or holding particles of the coating substance. This is totally opposite from what the Applicants are seeking to achieve with the presently claimed invention.

Then, as to the Pocock, *et al.* reference, it does not teach or suggest the combination of the various method steps, as claimed in Applicants' amended claim 1, of subjecting the hollow body to flaming to increase surface energy, electrostatically discharging by ionized air, maintaining the hollow body's warming from the flaming step, coating the hollow body

by swelling with a coating agent, allowing the coating agent to drip off, and drying the coating. Further, the Pocock, *et al.*, reference does not teach a preliminary treatment step using a fat dissolving agent, as claimed in Applicants' new claim 16.

Thus, even if a person skilled in the art would combine Pocock, *et al.* with Maruhashi, *et al.*, Applicants specific methods, per Applicants' amended claim 1 and new claim 16, would not result.

Accordingly, neither Maruhashi, Heiremans, Pocock, nor any other reference of record, discloses or suggests each and every limitation recited in amended independent claim 1 and new claim 16.

Because dependent claims 2, 4, 6, 13-15, and 17 respectively depend upon what Applicants argue above as patentably distinct in amended independent claim 1, and new claim 16, it is submitted that those dependent claims are likewise allowable.

Finally, new claim 16, which is a combination of the subject matter of claims 1 and 4, is considered patentably distinct because none of the cited references, or any others known to Applicants, disclose or suggest each and every limitation of that claim. That is, none of the known references of record teach or suggest a preliminary treatment step using a fat dissolving agent. Further, new claim 17, comprising the subject matter of claim 14, as now dependent on claim 16, is similarly considered patentably distinct.

In light of the foregoing, Applicants kindly request the Examiner to reconsider or withdraw the outstanding obviousness rejections.

CONCLUSION

Applicants believe that each of the outstanding rejections, objections and/or other concerns have either been accommodated, traversed or rendered moot. Therefore, the application is considered in condition for allowance. Should there be any outstanding issue that the Office believes may be remedied via telephone conference, please contact the undersigned at (312) 474-6300.

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Respectfully submitted,

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